

**DISCLOSURE TO DEBTOR(S) OF ATTORNEYS FEE PROCEDURE FOR
CHAPTER 13 CASES IN THE UNITED STATES BANKRUPTCY COURT FOR
THE WESTERN DISTRICT OF NORTH CAROLINA**

After consultation with the undersigned attorney, you have decided to file a petition for relief under Chapter 13 of the United States Bankruptcy Code. Accordingly, you are hereby given notice that pursuant to local rule of the Bankruptcy Court, the base fee for a Chapter 13 case is established at \$1,300. Payment of all or part of this fee is included in your payments to the trustee. The attorney's services included in the base fee are those normally contemplated in a Chapter 13 case. They are the following:

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| (a) Preparation and filing of petition and attendance at Sec. 341 meeting | (g) Letter to debtor about discharge hearing. |
| (b) Notice to stay state court actions. | (h) Review of order confirming plan and six-month report. |
| (c) Proof of claim filed by debtor for creditor. | (I) Objections to claims listed on the schedules. |
| (d) Rejections or assumptions of leases | (j) Valuation hearings. |
| (e) Motion to transfer venue. | (k) First and second motions to dismiss. |
| (f) Letter to Trustee requesting payoff. | (l) Incurring credit (no motion filed). |

In some Chapter 13 cases, it becomes necessary for legal services to be performed which are beyond those normally contemplated. These are legal services not covered by the base fee. These "non-base" services include the following:

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| (a) Abandonment of property post-confirmation. | (i) Non-base fee requests. |
| (b) Motion for moratorium. | (j) Stay violation litigation. |
| (c) Motion for authority to sell property. | (k) Insurance inquiries. |
| (d) Motion to modify. | (l) Post-discharge injunction actions. |
| (e) Motion to incur credit. | (m) Adversary proceedings. |
| (f) Defense of motion for relief from stay of co-debtor stay | (n) Wage garnishment orders. |
| (g) Defense of motions to dismiss (after 2 nd). | (o) Turnover adversaries. |
| (h) Objections to claims not listed in schedules. | (p) Adversary to strip a lien. |
| | (q) Motion to substitute collateral. |

For such "non-base" services you will be charged on the basis of attorney's time expended at the attorney's then prevailing hourly rates plus the amount of expenses incurred (such as Court fees, travel, long distance telephone, photocopying, postage, etc.). Such "non-base" fees are chargeable only after the same are approved by the Bankruptcy Court. Except as set forth below, before any such fees are charged you will receive a copy of my motion filed in the Court requesting approval of any such "non-base" fees as well as a notice explaining your opportunity to object if you do not agree with the fee applied for. Any fees awarded for "non-base" services will be paid to the undersigned attorney from your payments to the trustee in the same way as payment of "base" fees. It is possible that "non-base" fees approved by the court may cause your payment to the trustee to be increased, or the term of your Chapter 13 plan extended. Whether or not a payment increase or an extension will be necessary depends upon the facts of your case. If a payment increase is necessary because of a court approved "non-base" fee, the Trustee will notify you of the amount of the increase.

In the Court's discretion, a debtor's attorney in a Chapter 13 proceeding may request, in open court, and without any further notice, "non-base" fees for the following services and in amounts not exceeding those shown below. Without other notice, the debtor's attorney may also request up to \$1.00 for each item noticed to creditors as expense for postage, copying and envelopes.

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| (a) Defense of motion to dismiss (after 2 nd). \$100(e) | Uncontested adversary lien stripping. | \$250 |
| (b) Motion for moratorium. \$150 | (f) Motion for authority to sell property order. | \$250 |
| (c) Motion to modify and order. \$250 | (g) Defense of motion for relief from stay or co-debtor stay. | \$250 |
| (d) Substitution of collateral \$350 | | |

ANY AMENDMENT TO ADD ONE OR MORE CREDITORS WILL BE CHARGED AT \$75.00 PER AMENDMENT PAYABLE IN ADVANCE.

ACKNOWLEDGEMENT

I hereby certify that I have read this notice and I have received a copy of this notice.

Date: _____

Debtor's Signature

Date: _____

Debtor's Signature

I hereby certify that I have reviewed this document with the debtor(s) and that the debtor(s) have received a copy of this document.

Date: _____

Attorney